

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: David E Pearson

CHAPTER 7

CASE NO. 16-11539-amc

PNC Bank, N.A.
Movant

vs.

David E Pearson
Debtor(s)

and

Terry P. Dershaw, Esquire
Trustee

HEARING DATE: April 25, 2016
TIME: 11:00am
LOCATION: Court Room # 5

RESPONDENTS

**MOTION OF PNC BANK, N.A.
FOR RELIEF FROM AUTOMATIC STAY TO PERMIT MOVANT
TO FORECLOSE ON 6983 WEATHAM ST, PHILADELPHIA, PA 19119**

Movant, by its Attorneys, Udren Law Offices, P.C., hereby requests a modification of Automatic Stay and leave to foreclose on its mortgage on real property owned by Debtor.

1. Movant is PNC Bank, N.A.
2. Debtor(s) is the owners of premises, hereinafter known as the mortgaged premises, located at: 6983 Weatham St, Philadelphia, PA 19119
3. Movant is the holder of a mortgage which is a lien on the mortgaged premises.
4. Movant (or its predecessor in interest) has instituted or wishes to institute foreclosure proceedings on the mortgage because of Debtor's failure to make the monthly payments required thereunder.
5. The foreclosure proceedings filed or to be instituted were stayed by the filing of the instant Chapter 7 Petition.
6. Debtor(s) is in default of the mortgage to the present date from 10/01/2013.
7. The total amount of debt as of this date is \$189,630.38.

8. Movant has cause to have the Automatic Stay modified as to permit Movant to complete foreclosure on its mortgage.

9. Movant has cause to have relief from the Automatic Stay effective immediately and such relief should not be subject to the fourteen day period set forth in Bankruptcy Rule 4001(a)(3), as Movant will incur substantial additional costs and expenses by the imposition of said fourteen day period.

10. The other Respondent is the Trustee appointed by the Honorable Court.

WHEREFORE, Movant respectfully requests that this Court enter an order modifying the 11 U.S.C. §362 Automatic Stay and with respect to the mortgaged premises as to permit Movant to foreclose on its mortgage and allow Movant or any other purchaser at Sheriff's Sale to take legal action for enforcement of its right to possession of said premises.

Respectfully submitted,

By: /s/ J. Eric Kishbaugh

J. Eric Kishbaugh, Esquire
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